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19 UNITED STATES DISTRICT COURT
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 BAY AREA PAINTERS AND TAPERS
22 PENSION TRUST FUND, et al.,

23 Plaintiffs,
24 v.

25 NEW WEST PARTITIONS, a California
26 Corporation,

27 Defendant.

Case No.: C14-04981 JSW

**JOINT REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE;
[PROPOSED] ORDER THEREON**

Date: April 24, 2015
Time: 11:00 a.m.
Dept.: Courtroom 5, 2nd Floor,
Oakland, CA
Judge: Honorable Jeffrey S. White

1 Plaintiffs and Defendant, by and through their respective counsel of record, hereby
 2 respectfully request that the Case Management Conference, currently scheduled for April 24, 2015,
 3 be continued for approximately sixty (60) days, or as soon thereafter as may be convenient for the
 4 Court. GOOD CAUSE EXISTS for the requested continuance as follows:

5 1. As the Court's records will reflect, this action was filed by Plaintiffs on November
 6 10, 2014 to compel Defendant's compliance with its obligations to pay monthly contributions to
 7 Plaintiffs for hours worked by its employees, pursuant to its Collective Bargaining Agreement.

8 2. Defendants filed an Answer to the Complaint on December 22, 2014.

9 3. Counsel for both parties have been in communication throughout this matter and
 10 have continued to make progress towards resolution of the matter. The parties previously filed a
 11 request to continue the case management conference on February 10, 2015, based upon discussions
 12 of a payment plan for Defendant. To date, no formal payment plan has been entered into, however,
 13 Defendant has made additional payments towards the total amount due to Plaintiffs. The parties
 14 remain in discussions regarding a formal payment plan for the remaining balance owed to Plaintiffs.
 15 If a formal payment plan is not agreed upon within the next sixty (60) days, Plaintiffs will move for
 16 summary judgment against Defendant.

17 4. The parties jointly request a continuance of the Case Management Conference to
 18 allow the parties to further pursue resolution of this matter without the need for further litigation.

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5. There are no issues that need to be addressed by the parties at the currently scheduled Case Management Conference. In the interest of conserving costs, as well as the Court's time and resources, Plaintiffs and Defendant jointly and respectfully request that the Case Management Conference, currently scheduled for April 24, 2015, be continued for approximately sixty (60) days, to allow sufficient time for the parties to continue their attempts to resolve this matter outside of litigation.

Date: April 17, 2015

SALTZMAN & JOHNSON
LAW CORPORATION

By: _____/S/_____
Adrian L. Canzoneri
Attorney for Plaintiffs

Date: April 17, 2015

HIROSHIMA, LEWIS & DAGGETT

By: _____/S/_____
Phil Hiroshima
Attorney for Defendant

IT IS SO ORDERED.

Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case Management Conference is hereby continued to June 26, 2015, at 11:00 a.m.. All related deadlines are extended accordingly.

Date: April 20, 2015


UNITED STATES DISTRICT JUDGE